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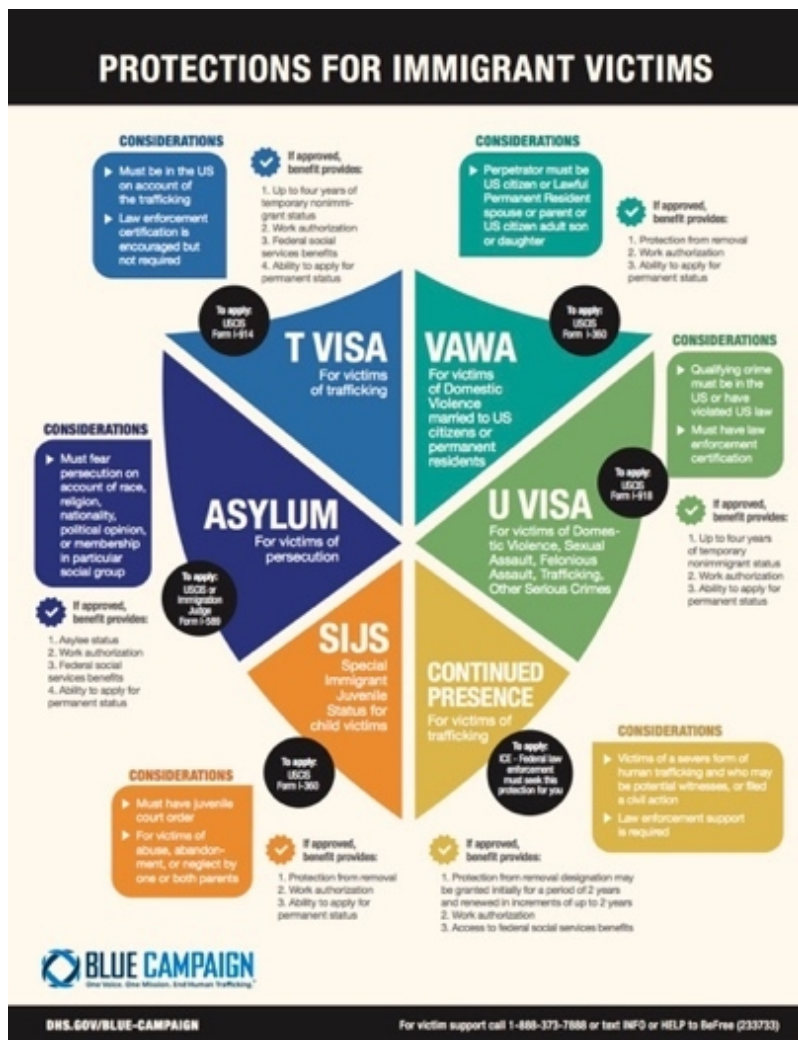


NIWAP Newsletter February 2017

In This Issue:

- DHS Interactive Infographic on Protections for Immigrant Victims
- Department of Housing and Urban Development's VAWA Self-Petitioner Verification Procedures
- Upcoming Webinar Training: Immigrant Access to Federally Funded Housing

The Department of Homeland Security's Interactive Infographic on Protections for Immigrant Victims



The Department of Homeland Security (DHS) released an [infographic](#) detailing the protections afforded to immigrant victims. This interactive infographic describes qualifications and benefits for each form of immigration relief designed to help immigrant victims. When you click on each form of relief, a link takes you to a DHS webpage with further information, brochures and applications forms. We strongly recommend this tool to be used and disseminated by the following professionals, to help inform immigrant victims of their rights and available protections:

- Law enforcement—this information should be available in police stations and in police cruisers to assist law enforcement officers in identifying victims eligible for immigration protections and informing victims about legal protections available to them

- Courts—this information should be available as one of the standard forms of legal information available to the public at courthouses and in clerks offices across the country
- Victim Advocates and Attorneys—this information will be useful for screening, providing information to clients, and identifying the forms of immigration relief and benefits an immigrant victim may be eligible to receive
- Healthcare and mental health care providers and social workers—this infographic will help healthcare providers identify victims whom they treat who are eligible for immigration protections

Directory of Service Providers: Once an immigrant victim who potentially qualifies for one of the forms of immigration relief described in the infographic, victims should be referred to agencies in the state or local community that have expertise working with immigrant survivors. A directory of programs serving immigrant victims in your state is available [here](#).

Action Needed:

Currently this infographic is available only in English and NIWAP is seeking your help to translate the DHS infographic into as many languages as possible. If you or someone you know would be interested in volunteering to translate, please contact us at info@niwap.org.

More Information for Immigrant Victims Published by DHS: For additional information, DHS has created a series of brochures that can be useful in educating victims and the professionals that serve them about the forms of relief designed to help adults and children who are immigrant crime victims. These training and informational materials will be very helpful to courts, law enforcement, victim advocates, attorneys, and health care and social services providers in their work with immigrant survivors. We provide links to and descriptions about these very useful materials on [this](#) web page.

Department of Housing and Urban Development's VAWA Self-Petitioner Verification Procedures

As a key part of the Violence Against Women Act (VAWA) passed by Congress in 1996 and 2003, battered immigrant spouses and children abused by their U.S. citizen or lawful permanent resident spouses or parents who had filed applications for immigration relief under VAWA have access to public and assisted housing. For immigrant victims who are pursuing immigration benefits under VAWA, Congress acted to ensure that victims who are on a path to gaining lawful permanent residency under VAWA's protections would be able to access lifesaving help from the public benefits safety net, including public and assisted housing. Victims needed access to housing to be able to separate from their abusers. These protections helped four limited groups of battered immigrants that meet HUD and VAWA's definition of VAWA self-petitioner:

- VAWA self-petitioners
- VAWA cancellation of removal applicants
- VAWA suspension of deportation applicants
- Immigrant spouses and children who has been subjected to battering or extreme cruelty by their U.S. citizen or lawful permanent resident spouses or parents who had an approved I-130 family based visa petition file on their behalf.

NIWAP has published a [web page](#) that contains the Department of Housing and Urban Development (HUD) memos clarifying the rights of certain immigrant victims who are battered or subject to extreme cruelty to apply for and receive assistance under section 214 of the Housing and Community Development Act. These protections help immigrant victims of domestic violence and child abuse.

The page also contains the notice issued by HUD, *Violence Against Women Act (VAWA) Self-Petitioner Verification Procedures*, which details the procedures that public housing agencies must follow when an applicant, a resident, or a tenant requests admission or continued residency as a result of being a VAWA self-petitioner. Specifically, it provides special procedures for VAWA self-petitioner victims in the HUD required verification process using the Department of Homeland Security's Systematic Alien Verification for Entitlements (SAVE) System.

In addition, the notice stated that once a public housing provider receives documentation related to a VAWA self-petition case, the housing provider is prohibited from requesting additional information aside from that necessary to complete the verification. This includes a prohibition on requesting proof of abuse, since DHS is responsible for the adjudication of abuse in VAWA self-petition cases. Ultimately, if a VAWA self-petition is verified through this process, then the applicant is immediately eligible for housing and cannot be required to submit to the housing provider evidence of battery or extreme cruelty. This is only one exception to this bar. Some battered immigrant housing applicants will have I-130 family based visa applications filed with the Department of Homeland Security. Adjudication of I-130 cases does not include a DHS adjudication of battering or extreme cruelty. Thus, once a housing provider receives DHS verification of an approved I-130 case, the battered immigrant housing applicant will be required to provide evidence of "battery or extreme cruelty" before becoming eligible for housing benefits. DHS "[any credible evidence](#)" rules apply to the forms of evidence that victims can provide to prove the battering or extreme cruelty.

Webinar Training: Immigrant Access to Federally Funded Housing

Date: Wednesday, February 22, 2017, 2 p.m. to 3:30 p.m. Eastern

Format: Webinar

Audience: Transitional Housing, Legal Assistance to Victims, STOP, Rural, Arrest, Culturally Specific, and other OVW grantees

Brief Description: For many survivors, the ability to secure decent, safe, and affordable housing is critical to long-term survival. Yet, immigrant survivors often face obstacles in accessing federally subsidized housing and services that protect life or safety because of providers' misunderstandings about immigration requirements for program participants. This webinar will provide an overview of the rights of immigrants to access federally funded housing programs under HUD and USDA Rural Development. It will include an emphasis on HUD authority that confirming the rights of VAWA self-petitioners to access public and assisted housing as well as restated and reconfirmed the rights of survivors, regardless of their immigration status, to access emergency shelters and transitional housing that receive federal funds.

This webinar training has passed; however, you can access the information discussed and materials used [here](#).

Who Should Attend?

This webinar is designed for advocates, attorneys, housing providers, law enforcement officers, court staff and others who are new to or would like to learn of up-to-date information on the rights of immigrant survivors to access federal housing programs and federally funded services that protect life or safety.

Presenters:

Karlo Ng is an attorney at the National Housing Law Project. She is involved in policy advocacy to advance the rights of tenants in the federally subsidized housing programs and the housing rights of domestic violence survivors. Her work focuses on increasing awareness by advocates and tenants of federal and state law protections and promoting housing policies that address the needs of survivors, immigrants, and individuals with limited-English proficiency.

Leslye Orloff is an Adjunct Professor and Director of the National Immigrant Women's Advocacy Project (NIWAP) at American University Washington College of Law. NIWAP advocates for laws, policies and practices that enhance legal options for immigrant women and immigrant victims of domestic violence, sexual assault and human trafficking. Her 33-year career includes working collaboratively with experts across the country to develop and implement immigration relief, public benefits access and family law protections for immigrant women, children and survivors. She was involved in drafting VAWA's immigration and public benefits protections for immigrant survivors. She provides national technical assistance and has published numerous law and social science journal articles, curricula, and training materials for attorneys, law enforcement, judges and other professionals on legal rights and services options for immigrant survivors of domestic violence, sexual assault, and other crimes.

Resources

For More Information on NIWAP see our [brochure](#).

Be Sure to Check out our Web Library:

This Resource Library and Technical Assistance Center provides timely information on a vast array of topics of interest to those working across the country to help immigrant victims, women and children. The NIWAP library contains a wide range of materials, including legislative history, training manuals, toolkits, sample briefs and motions, factsheets, practice tools, research reports,

benchcards, tools for law enforcement, and government policies and regulations. This [searchable library](#) of resources is designed to be used by OVW grantees and other advocates, attorneys, judges and service providers.

We're on YouTube & Twitter:

NIWAP has its own [youtube channel](#). New to an issue? Access NIWAP training videos 24-7. We have posted our recent webinars. Topics include "Training for Advocates and Attorneys on Trauma-Informed Work with Immigrant Women", "Obtaining U Visa Certification from Judges," "An Introduction of Law Enforcement to the U Visa," and "Law Enforcement and Advocates Partnering to Serve Immigrant Crime Victims." These videos are helpful for new and seasoned immigrant advocates, attorneys, law enforcement, judges, court staff, and students. To view other materials from these webinars, visit the [NIWAP library for training materials](#). You can also use our [Twitter](#) feed to receive interesting and relevant updates.

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